



Iowa Department of Human Services

Terry E. Branstad
Governor

Kim Reynolds
Lt. Governor

Charles M. Palmer
Director

5/30/14

Theresa Towry
732 Bay Ridge Dr.
Iowa City, Ia. 52240

Dear Theresa,

I appreciate your working with me to complete the spot check. Here is the website to check out pac'n'plays that have been recalled to ensure you do not have one that is unsafe-<http://www.cpsc.gov/>

Here is the department's site for training information. This site has approved trainings listed.http://www.dhs.iowa.gov/Consumers/Child_Care/Professional_Development.html

When you read this letter it may seem a bit overwhelming. I would suggest you sit down, take a deep breath and remember you have 30 days to get these items into compliance.

This letter is in regards to the May 29, 2014 compliance check of your Level B, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. The following areas were out of compliance at the time of my visit:

☐ 110.4 No more children are in care than the rules for the specific category will allow.

I observed you had 9 full-time children in your care, including two part-time. You were over the maximum number of children allowed as a Category B provider. You cannot provide care to more than 8 children (two must be part-time) unless you have an approved DHS assistant present. You signed a Corrective Action Plan agreeing to provide care to more children than the maximum allowed.

☐ 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.

You were found to be out of compliance with a number of items on the spot check list. Areas that need to be immediately corrected are providing care to no more than 8 children at a time, with two of those children being part-time, and no longer using your 13 year old grandson to assist with the child care. Areas to be corrected and brought into compliance by Wednesday, June 4th include having a safety barrier in place to block access to the laundry room and mount a smoke detector in the play room,

☐ 110.5(1) b- All medicines and poisonous, toxic, or otherwise unsafe materials are secured from access by a child.

**I observed a cleaning supply container on the counter that was hazardous to a child. You removed the container and placed it in an area not accessible to a child.
*This item is now in compliance.***

☐ 110.5(1) d- Medicines are given only with written authorization from the doctor or parent.

You reported you did not have written authorization to provide non-prescription medicines such as sunscreen and diaper ointment. Use the form I gave you and have the parent(s) complete and date the form authorizing you to apply these medicines.

☐ 110.5(1) g- Safety barriers are at stairways and doors as needed.

I observed you did not have a safety barrier at the doorway from the kitchen to the laundry room. There are cleaning supplies that would be harmful to a child stored in an area that is accessible to a child. You need to place a safety barrier at the doorway from the kitchen to the laundry room.

☐ 110.5(1) j- Emergency and disaster plans for fire and tornado are written and posted by primary and secondary exits.

I observed you had this plan posted by the front door but not the secondary exit (back door). Make a copy of the plan posted by the front door and post it at the back door exit.

☐ 110.5(1) k- Fire and tornado drills are practiced monthly and documentation kept.

You did not have any documentation you practice these drills. You stated you try to do them at least every 6 weeks.

These drills must be done monthly and you need to document when you did them on the form I left with you.

☐ 110.5(1) n- Has a minimum of one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway.

I observed the room you use as a play room for the older children did not have a smoke detector mounted in it.

You need to mount a smoke detector in this room by Wednesday, June 4th.

☐ 110.5(1) n- Each smoke detector is tested monthly, and a record is kept for inspection purposes.

You did not have a record of testing the smoke detector batteries.

Use the form I left with you to record the dates you do the monthly testing of the smoke detector batteries.

☐ 110.5(1) o- Nonsmoking signs posted at every entrance of the home and in every vehicle used to transport children. Signs include telephone # for reporting complaints, and www.iowasmokefreeair.gov.

You did not have a No Smoking posted at the back door entrance to the home.

Post the No Smoking sign I left with you at the back door entrance.

☐ 110.5(1) q- All dogs and cats have annual examinations. Records of the exams are on file and must verify that routine immunizations are current and animal is free of endo and ecto parasites.

Your dog's rabies vaccination expired 2/5/14 and needs to be updated as soon as possible. Your vet needs to complete and sign the new Pet Health Certificate for your records.

☐ 110.5(1) q Pet birds are purchased from an approved dealer. Examined by a veterinarian to verify free of infectious diseases. Children are not allowed to handle pet birds.

You did not have any paperwork on the five birds in the play room.

You will need to have a veterinarian do an exam on all the birds and certify they are free of infectious diseases. Documentation will need to be obtained that verifies the birds were purchased from an approved dealer. If you can get either a letter from them or their state license number that would be sufficient to meet this requirement.

☐ 110.5(1) v- The provider has written policies about responding to health-related emergencies.

You did not have a written policy for this. Use the guideline sheet I gave you as a reference and write this policy. I suggest you add it to your contract and have the parent's sign off they have read your policies for mildly ill and health-related emergencies.

☐ 110.5(2) A provider file is maintained and contains:

☐ 110.5(2) a- A physician's signed statement of health and immunization status on the provider and all members of the household who may be present when children are in the home. Statements must be obtained at the time of initial registration and updated every two years.

This information was not available for review. Get copiers of a physical completed within the last 2 years for each household member. A copy of their immunization records is also needed. You can take care of both of these requirements by having your physician complete and sign the Provider Health form I gave you.

☐ 110.5(8) Children's Files

☐ 110.5(8) - An individual file is maintained for each child and updated annually or when there are changes. Each file contains:

☐ 110.5(8) a- Identifying information including, at a minimum, the child's name, birth date, parent's name, address, telephone number, special needs of the child and the parent's work address and telephone number.

This information was not found in any of the children's files except M.

Have the parents complete and sign the Child Intake Sheet I gave you and place it in their child's file.

☐ 110.5(8) b- Emergency information including where the parent can be reached, the name, street address, city and telephone of the child's regular doctor, and the name number, telephone number, and relationship to the child of another adult available in case of emergency.

This information was not found in any of the children's files except M.

Have the parents complete and sign the Child Intake Sheet I gave you and place it in their child's file.

☐ 110.5(8) c- A signed medical consent from the parent authorizing emergency treatment.

This information was not found in any of the children's files.

Have the parents complete and sign the Emergency Medical Authorization Sheet I gave you and place it in their child's file.

☐ 110.5(8) d- For infants and preschoolers: An admission physical examination, on the first day of attendance, including past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary. The date of the exam is not more than 12 months before the child's first day of attendance.

This information was not found in any of the children's files.

When a child starts in your care make sure you get a physical dated within the past 12 months and a comprehensive health history. On the Child Intake form there is a section for health issues and special needs. I advise you make sure a parent writes down any special needs or health history information pertinent to the care you provide for that child. If a child's parent says there are no special health issues get that in writing.

☐ 110.5(8) d- For school-aged children: On the first day of attendance, a statement of health status signed by the parent or legal guardian.

This information was not found in any of the school aged children's files.

You need to have the parent(s) sign a statement annually that their child is in good health and free of any communicable and infectious diseases. I have enclosed a form you can use for this requirement.

☐ 110.5(8) e- For infants and preschoolers: A statement of health signed by a physician submitted annually.

This information was not found in any of the school aged children's files.

Have the parent(s) provide you with a physical on their child completed in the last 12 months. Place it in the child's file.

☐ 110.5(8) e- For school aged children: An annual statement of health condition signed by the parent or legal guardian, annually from date of admission physical.

This information was not found in any of the school aged children's files.

You need to have the parent(s) sign a statement annually that their child is in good health and free of any communicable and infectious diseases. I have enclosed a form you can use for this requirement.

☐ 110.5(8) f- A list signed by the parent which names persons authorized to pick up the child, their telephone number, and relationship to the child.

This information was not found in any of the children's files.

Have the parents complete and sign the Child Intake Sheet I gave you and place it in their child's file.

☐ 110.5(8) g- A signed and dated immunization certificate provided by the state department of public health.

The only files that had this information in them were P and K. All other children need to have a copy of their Iowa Department of Public Health Immunization certificate in their file. The parent(s) can get a copy of this form their doctor's office.

☐ 110.5(8) h- For each school-age child, record of a physical exam completed at the time of school enrollment or since.

This information was not found in any of the school aged children's files.

The parent's need to get you a copy of a physical done on their school aged child since they started kindergarten.

☐ 110.5(8) j- Injury report forms to document injuries requiring first aid or medical care.

You shared you did not have a form for this. I left a sample form you can use for any child that sustains an injury while in your care that requires first-aid or medical care. Make sure the parent(s) get a copy and a copy is placed in the child's file.

☐ 110.5(9)-The provider meets the following requirements:

☐ 110.5(9) c- Gives consistent, dependable care.

I observed your 13 year old grandson assisting with the child care by feeding babies and picking them up and entertaining them when they were fussy. Since he is not an approved assistant and does not meet the requirement to be an assistant (must be 14 year of age) you cannot be having him assist you with the child care. Discontinue the practice if having him assist you with child care.

☐ 110.9(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "B"

☐ 110.9(1) a Not more than six preschool children present at any one time including infants.

I observed you having 9 children in full-time children in care which was more than the maximum number allowed as a Category B provider.

☐ 110.9(1) f- When more than 8 children are present for more than two hours, a DHS-approved assistant at least 14 years old is present.

I observed you having 9 children in full-time children in care with no assistant present. You signed an agreement you provide care to no more than the maximum allowed as a Category B provider. I have enclosed a handout for you to use as a guide to make sure you stay within the maximum allowed.

☐ 110.9(3) Facility requirements

☐ 110.9(3) a- There is a minimum of 35 square feet of child use floor space indoors for each child in care.

After measuring the child use floor space in the three rooms used for child care I determined you have enough space (350 square feet) to provide care to 10 children. I will let the Centralized Unit know this and they will send you a new certificate reflecting the maximum number you could have in care is 10.

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration. **Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations within the next 45 days.**

☐ Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home. This visit will occur after the 45 day time period has elapsed.

Please do not hesitate to contact me at DHS at 319/892-6803 or toll free 319/534-3112 if you have any questions regarding this letter.

Sincerely,

Dale Garlinghouse
Social Worker II

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at (Text field for phone).

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to http://www.dhs.state.ia.us/Consumers/Child_Care/Professional_Development.html and you can sign up for training at <https://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).